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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Seventh session

SUMMARY RECORD OF THE 5th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 25 November 1992, at 3 p.m.

Chairman: Mrs. BONOAN-DANDAN

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GE.92-18592 (E)

The meeting was called to order at 3.15 p.m.

RELATIONS WITH UNITED NATIONS ORGANS AND OTHER TREATY BODIES (agenda item 8)

1. Mr. SIMMA, before presenting his report on the work of the Committee on the Elimination of Racial Discrimination, informed members of the Committee of the difficulties which he had encountered in drawing up the concluding observations concerning the report of Belarus. Since the report no longer reflected the current situation, he hoped that the experts would send him in writing the replies which they had been able to obtain to their questions together with the comments which they wished to make.

2. As far as the work of the Committee on the Elimination of Racial Discrimination was concerned, in the summer of 1992, there were 132 States parties to the International Convention on the Elimination of All Forms of Racial Discrimination, 16 of which had made a declaration recognizing the Committee's competence to receive and consider communications from individuals or groups of individuals within their jurisdiction.

3. In 1992 the Committee on the Elimination of Racial Discrimination had been beset by serious financial difficulties due mainly to the way in which it was funded. It was financed directly by States parties, which seemed to have fewer scruples about not meeting their financial obligations to the Committee than to the United Nations. He therefore considered that such a method of financing was inadequate and that consideration might have to be given to financing the Committee out of the United Nations regular budget.

4. In view of the financial difficulties mentioned, in 1992 the Committee on the Elimination of Racial Discrimination had been able to hold only one two-week session instead of the annual two three-week sessions provided for. At that session the Committee had considered the current situation in 21 States parties, as well as a number of communications from individuals and private bodies.

5. The method of work of the Committee on the Elimination of Racial Discrimination had three essential characteristics. First, it used country rapporteurs to simplify the consideration of reports. The Committee on Economic, Social and Cultural Rights might perhaps follow that method and appoint thematic rapporteurs, since the areas which it studied were more extensive than those studied by the Committee on the Elimination of Racial Discrimination.

6. Furthermore, States which were in arrears in submitting their reports were treated in substantially the same way as that envisaged by the Committee on Economic, Social and Cultural Rights. The Committee on the Elimination of Racial Discrimination sent out reminders to the States concerned and had even considered the possibility of examining the situation in States which had not submitted a report for a long time, in their absence and in the light of the information given in their latest reports. Finally, the Committee on the Elimination of Racial Discrimination adopted its concluding observations by consensus, as did the Committee on Economic, Social and Cultural Rights.

7. Mrs. JIMÉNEZ BUTRAGUEÑO, presenting her report on the activities and method of work of the Committee against Torture, stated that on 20 November 1992 the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment had been ratified by 70 States, most of which were also parties to the International Covenant on Economic, Social and Cultural Rights. In the campaign against torture, it should also be pointed out that on 16 December 1981 the General Assembly had created the United Nations Voluntary Fund for Victims of Torture and that the Commission on Human Rights, in parallel with its work on the preparation of the text of the Convention, had appointed, in its resolution 1985/33, a Special Rapporteur to examine questions relevant to torture and to keep it informed. It was important to note that the competence of the Special Rapporteur was not limited to States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as was the case with the Committee, but extended to all States Members of the United Nations and to all those which had been granted observer status.

8. So far the Committee against Torture, established in November 1987 and consisting of 10 experts serving in their personal capacity, had already submitted five annual reports to the General Assembly and to the States parties. A reading of those reports showed that the Committee's work had been substantially improved over the years. The improvements were mainly concerned with the guidelines for the submission of reports, the inclusion in its annual report of its conclusions on the reports of States parties, the distribution of work among the members of the Committee, and coordination with other United Nations bodies and specialized agencies.

9. At its seventh and eighth sessions, the Committee against Torture had been particularly interested in the legal framework for the implementation of the Convention and the status of the latter in the domestic law of States parties. It had also concerned itself with the practical application of the habeas corpus procedure, the need to incorporate the definition of torture in the penal legislation of States parties, the professional training of law enforcement personnel, in the rehabilitation of victims of torture, and so on.

10. As far as the methods of work of the Committee against Torture were concerned, it was important to note that the inquiry procedure provided for in article 20 of the Convention was the only procedure in international human rights instruments which permitted experts to make an on-the-spot evaluation of allegations of violations of a treaty. In the event, that procedure had also proved to be the most effective way of bringing pressure to bear on States to induce them to respect the Convention. On the other hand, the procedure whereby a State party could claim that another State party was not giving effect to its obligations under a treaty had never been used in the case of treaties which provided for it, such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in article 21, paragraph 1 (a). That procedure, which implied a confrontation between two States parties, was considered as being fraught with too many consequences.

11. Of the States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 28 had recognized, under article 22, the competence of the Committee to receive and consider communications from or on behalf of individuals subject to their jurisdiction

who claimed to be victims of a violation of the provisions of the Convention. Such communications were considered by the Committee in closed meetings. So far the Committee had had to consider nine communications, of which only one had been declared admissible.

12. Finally, it would be worthwhile for the Committee on Economic, Social and Cultural Rights to consider the draft optional protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment submitted by Costa Rica to the Commission on Human Rights at its forty-seventh session (E/CN.4/1991/66). The draft proposed a worldwide system of preventive visits to places of detention to prevent acts of torture. The Committee against Torture had expressed its support for Costa Rica's initiative, even if some of its members had considered that it was up to States, and in particular States parties to the Convention, to express their view on the subject within the Commission on Human Rights. Furthermore, some members of the Committee had considered that the new system of surveillance, if it were adopted, should be independent of that existing under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Other members of the Committee, on the other hand, had considered that the two mechanisms should be linked in order to avoid conflicts of jurisdiction.

CONSIDERATION OF REPORTS (agenda item 5) (continued):

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT

Norway (E/1990/7/Add.7) (continued)

13. Ms. SIREVÅG (Norway), replying to questions put by members of the Committee concerning her country's report, said that the anticipated reforms would require each county to create a department responsible for monitoring the progress of young people who gave up their studies. Secondary education was in fact a right and not an obligation for young people. The monitoring services in question would have to make sure that everything had been done to guarantee access to education for everyone and that those who gave up did not do so because of any individual problems, which the countries would then be required to deal with. It should be pointed out that the reform would be implemented in 1994 and that some details of it would be given in 1993.

14. One expert had inquired whether Norway was seeking to respond, in educational matters, to the changes that had taken place in its economy. It was true that requirements for qualified staff had increased. However, no response had been "programmed" in order to react to the changes that had occurred in the economy: what was happening was more of a natural development within society itself, and Norway's objective was still to provide education for all up to the higher level. In that connection, it was incorrect to state that such an objective contradicted the priority given to young people on the employment market, since, if young people aged between 16 and 19 years were encouraged to continue their studies, it would be easier for them to obtain a job when they were 20 years of age or more.

15. It had been asked whether apprentices ran the risk of being exploited. The 1980 Vocational Training Act, which laid down the official framework for apprenticeship and of which she had a few copies which she could make available to members of the Committee, met that concern. The Act contained provisions relating to the form of articles of apprenticeship, the performance of the apprenticeship, the rights and duties of the parties concerned, and the penalties in case of serious failure to comply with obligations. In each county, a vocational training committee consisting of representatives of the education authority, employers, employees and apprentices supervised the implementation of articles of apprenticeship. Cooperation among all parties was good, and the system worked well. Apprentices were very well paid; apprenticeship was financed partly by the employers, but a substantial and increasing part was paid by the State.

16. The figure of 4,900 unemployed in the age group from 16 to 19 years given on page 5 of the document containing the changes relative to Norway's second report on the rights covered by articles 13 to 15 of the Covenant, represented a proportion of 2.3 per cent. By way of comparison, the average unemployment rate in Norway as a whole was 6.3 per cent.

17. Several questions had been asked about equality between boys and girls. One of them related to the percentages of boys and girls in the different branches of study indicated in the table on page 5 of the above-mentioned document. In advanced secondary education, which prepared pupils for university studies of the classical type, there were eight areas of study in addition to the "general area" corresponding to traditional education. All subjects were taught to all pupils, but what was indicated in the table in question was the number of boys or girls who had chosen a particular subject for specialization with a view to a future career. None of those specializations excluded subsequent university studies. The reason why girls were more attracted towards certain subjects such as health were probably not economic but due to established traditions that were difficult to change.

18. The full title of the Ministry of Education was, in fact, "Ministry of Education, Research and Church Affairs", because the Church of Norway, being a State church, necessarily had to have a ministry administratively responsible for it. There was, however, no violation of religious freedom. The Ministry could grant financial subsidies to religious communities to enable them to organize religious activities, but that had no connection with education.

19. There was no private school tradition in Norway, but private schools were allowed. In that respect the most recent legislation was the 1985 act which provided that the role played by private schools was complementary to that of the State schools. They could be set up on a religious or ethnic basis, or apply different teaching methods, or be established for the Norwegian children residing abroad. At present, 189 private teaching establishments received subsidies, a figure which had to be compared with the total number of public teaching establishments existing in Norway, which was 4,300.

20. In Norway great importance was attached to on-the-job training and considerable sums were devoted to it. Adult education organs received substantial subsidies and organized, sometimes in cooperation with universities or institutions of higher education, an extensive range of

courses aimed at giving additional qualifications to persons who had completed their studies, sometimes even higher education or highly specialized studies. The reform which she had already mentioned and which was due to come into force in 1994 stressed the need for an extensive knowledge base; consequently, permanent education would certainly become an inescapable necessity in future and considerable priority was therefore given to it.

21. Elderly persons were not treated as a separate group. They were entitled, like the rest of the population, to permanent education and could enrol in any course of their choice. There was, in addition, a special university for retired people, where they could both study and meet. Many activities were organized specifically for the elderly, who, when over 67 years of age, travelled at half price on public transport.

22. Sex education was not taught separately: it was integrated into the teaching of very many disciplines: physical education, religious education, natural sciences, and social sciences, in particular. The media also played an important role in that regard. The same could be said of education for the prevention of AIDS.

23. Mr. STRØMMEN (Norway) said that collective bargaining was only the first stage in settling labour disputes. The following stage was the official conciliation mechanism, to which the parties were obliged to have recourse. If the conciliation was unsuccessful and the conflict led to a strike, for example, it was up to Parliament to legislate and to impose arbitration. The parties could, of course, always have recourse to voluntary arbitration, and in fact they very often did so. In general, the Government was reluctant to settle labour conflicts by legislation, but that had sometimes been necessary in order to end a strike in a vital sector of the economy - petroleum, for example - or in the public services.

24. The normal age of retirement was high in Norway, being fixed at 67 years; the individual concerned could continue to work up to 70 if he wished. That was the case, in particular, with teachers. The age of retirement was, nevertheless, lower in certain occupations such as the military, the police and the fire brigade service. There were a few arrangements for early retirement, but they varied from one sector to another and were, in any case, less common in Norway than in comparable countries.

25. The Sami were a people. They had their own history, language and culture. They were, of course, Norwegian citizens who had the same rights and duties as any other Norwegians. Nevertheless, they did not constitute merely an ethnic minority - like, for example, groups of recent immigrants - but also an indigenous minority. However, while most Sami in the world lived in Norway, their culture was threatened with extinction. The Norwegian Government therefore considered that it had an obligation to give the Sami people preferential treatment in order to secure the survival of their culture. That was, moreover, in conformity with international law, and provisions to that effect had been included in Norway's Constitution and legislation. It was unlikely that Norway would ever adopt special legislation for any other minority group. The Sami did not view their preferential treatment as a form of discrimination: on the contrary, their institutions and organizations had always called for it. He laid on the table a brochure

in English and Spanish explaining how the Sami Parliament worked and expressed his willingness to reply to any further questions which members of the Committee might wish to ask.

26. Ms. SIREVÅG (Norway) said that, as far as the status of international human rights instruments in Norwegian law was concerned, she was not in a position to add very much to what she had stated at the Committee's fourth meeting. The Committee of Jurists responsible for examining the arrangements for an eventual incorporation of those instruments into Norwegian law, for their transformation into Norwegian law or for making proposals to that effect had only just completed its work. Its report was not yet official but would be presented before the end of the year. The question of amending the Constitution would probably be examined as from 1993, and Norway would certainly update its basic document as soon as there was anything new to report in that connection.

27. Norway attached great importance to its reporting obligations under the International Covenant on Economic, Social and Cultural Rights and other instruments to which it was a party. It welcomed the decision taken on a new system for the compilation of reports and would do its utmost to discharge its obligations satisfactorily.

28. Norway's environmental and whaling policy was based on the need to secure the lasting preservation and utilization of the biological resources of the sea and on adherence to the principle that States had the right to exploit their national resources in conformity with their own environmental policy. Small-scale traditional whaling would be carried out in accordance with that policy. The Norwegian Government was convinced of the need to preserve all species threatened with extinction or with a serious reduction in their numbers. All the biological resources of the sea, including marine mammals, would be managed and utilized in conformity with sound scientific principles. She would be willing to provide members of the Committee with supplementary documents in that connection.

29. Mr. SPARSIS said that some of the questions which he had asked at the Committee's fourth meeting had not been fully answered. First, what priority measures to facilitate the employment of young people were there in Norway? Second, was there any legislation to secure equal pay for men and women and, in particular, any legislation to prevent apprentices from being exploited? Third, was there any difference between remuneration in the public sector and remuneration in the private sector and, if so, was the difference the result of the relative strength of the parties or was it based on an objective analysis?

30. Ms. SIREVÅG (Norway) said that at present unemployed young people from 16 to 19 years old really had priority on the labour market. The educational reform which was due to take place in 1994 should enable them to acquire the education which they needed in order to find employment more easily. Equality between men and women was the general rule, of which equal pay was only one particular instance. The remuneration of apprentices was determined for each trade or profession, and it was certainly not affected by the sex of the apprentice.

31. Mr. STRØMMEN (Norway) said that remuneration was probably slightly higher in the private sector than in the public sector, whereas job security was less. At present, in a period of economic recession, the public sector had no difficulty in recruiting the personnel it needed. Around the mid-1980s, on the other hand, at a time when the petroleum sector had been in full expansion, the private sector might have been more attractive. Consequently, there was, as far as recruitment was concerned, competition between the two sectors, which varied according to the overall economic situation, rather than a power struggle.

32. Mr. SIMMA asked what the Norwegian Government saw as the main obstacle to the implementation of the right to education and the right to participate in cultural life. He also wondered whether the International Covenant on Economic, Social and Cultural Rights really played a role in the daily activities of the authorities responsible for education and culture or whether it served only as a prop for the dialogue between the Norwegian delegation and the members of the Committee.

33. Ms. SIREVÅG (Norway) first of all pointed out that in theory there was no obstacle to the exercise of the right to education and of the right to participate in cultural life. The only problem that arose was of a geographical nature: because of the size of the country and its low population density, the education system and cultural activities were very expensive and had to be decentralized in order to give each region the same educational and cultural opportunities. As to whether the Covenant played a particular role in the daily activities of the authorities responsible for education and cultural affairs, she pointed out that the provisions of the Covenant concerning equality of rights and opportunities in education constituted fundamental principles underlying her Government's policy.

34. Mrs. JIMÉNEZ BUTRAGUEÑO said that it was her impression, after hearing the replies given by the Norwegian delegation, that young people enjoyed preferential arrangements on the employment market. She wondered whether that did not entail a form of discrimination based on age contrary to the provisions of the Covenant. She would like to know whether measures were taken to assist older job-seekers, who were often confronted with the problem of long-term unemployment, to find work.

35. Ms. SIREVÅG (Norway) pointed out that it was a question of whether young people should be given a chance to join the labour force or whether priority should be given to older persons who were unemployed. She wished to make it clear that there was no age-related discrimination on the labour market. If, in its replies, the Norwegian delegation had dwelt at greater length on the employment situation of young people, it had done so in order to answer the questions asked. Unemployed persons of 40 years of age or more could take a large number of training courses under the adult education system. Moreover, the Government attached a high degree of priority to the education of immigrants and granted subsidies to private firms which provided on-the-job training to enable their employees to be retrained.

36. Mr. RATTRAY noted that, according to the information received, private education was not very developed in Norway and wondered whether that did not limit the diversity of the education system and thereby even the freedom,

affirmed in the Covenant, to choose establishments other than those administered by the public authorities. He wished to know whether private education was encouraged or, on the contrary, whether there was a tendency to prevent the establishment of private schools.

37. Ms. SIREVÅG (Norway) replied that nothing prohibited the establishment of schools, whether private or not. Public education was a tradition in Norway because the right to education was considered to be a fundamental right and because from the outset the authorities had wished to apply the principle of equal education for all.

38. Mr. MRATCHKOV, referring to Mr. Simma's questions on apprenticeship, inquired whether apprentices were subject to the labour legislation or whether they enjoyed a special status and, consequently, different social and working conditions.

39. Mr. STRØMMEN (Norway) replied that apprentices were subject, like all other workers, to the labour legislation.

40. Mr. KONATE, referring to a statement by Mr. Neneman concerning the regular submission of reports, asked whether Norway's second periodic report on the rights covered by articles 13 to 15 of the Covenant had been submitted on time.

41. Ms. LUND (Norway) explained that the report had been submitted one year late, but she hoped that the next full report which Norway was due to submit in 1994 would reach the Committee on time. The submission of mandatory reports was a complex process, and she hoped that with the new system for drawing up basic reports and with the help of the Committee, the Norwegian authorities would be able to discharge their obligations under the Covenant better.

42. Mr. NENEMAN pointed out that Norway's previous report on articles 13 to 15 of the Covenant had been submitted 10 years earlier, in 1980, and considered by the Committee in 1982. Thus, Norway was not the only party responsible, since the Committee had not always been able to consider reports on time.

43. The CHAIRMAN, on behalf of the Committee, thanked the Norwegian delegation for having replied to the questions put to it and informed it that the Committee's concluding observations would be transmitted to the Norwegian authorities.

44. Ms. Lund, Ms. Sirevåg and Mr. Strømmen (Norway) withdrew.

RELATIONS WITH UNITED NATIONS ORGANS AND OTHER TREATY BODIES (agenda item 8) (continued)

45. Mr. MRATCHKOV, who had been assigned responsibility for following the work of the Commission on Human Rights and of the Preparatory Committee for the World Conference on Human Rights at its second session, began by stating that the Commission, which had held its forty-eighth session from 27 January to 6 March 1992 at the United Nations Office at Geneva, had dealt with certain

problems concerning the work of the Committee on Economic, Social and Cultural Rights. It had recommended that the Economic and Social Council adopt 7 draft resolutions and 34 draft decisions concerning a number of countries and general issues. The Commission had also adopted 19 decisions and 83 resolutions, including resolution 1992/12 on the question of trade union rights. In that resolution, the Commission had expressed regret that violations of trade union rights had continued in many countries, had appealed to States to ensure that conditions were such that all persons within their jurisdiction could exercise their trade union rights freely and in full, and had invited States Members of the United Nations to ratify the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) and the Right to Organize and Collective Bargaining Convention, 1949 (No. 98) of the International Labour Organisation, as well as the International Covenants on Human Rights. The Commission had also adopted a resolution on the status of the International Covenants on Human Rights (1992/14) in which it reaffirmed their importance. It had expressed its satisfaction at the serious and constructive way in which the Human Rights Committee and the Committee on Economic, Social and Cultural Rights were performing their functions and welcomed the efforts made by the two Committees to improve their methods of work, laying particular stress on the practice of formulating general comments adopted by the Committee on Economic, Social and Cultural Rights. The Commission had decided to include the question of the status of the International Covenants on Human Rights in the agenda for its forty-ninth session. It had also considered human rights violations in southern Africa and the harmful consequences for the enjoyment of human rights of the political, military, economic and other assistance given to the racist regime in South Africa. In addition, the Commission had adopted a resolution on the right to development (1992/13) in which it had requested the Secretary-General to submit to it, at its next session, concrete proposals on the effective application and promotion of the Declaration on the Right to Development.

46. The Committee had also requested him to follow the work of the second session of the Preparatory Committee for the World Conference on Human Rights, which had been held from 30 March to 12 April 1992. Representatives of approximately 130 States Members of the United Nations and some 60 non-governmental organizations had participated in it, as well as representatives of all human rights bodies. At the session, the Preparatory Committee had been called upon to make a recommendation to the General Assembly on the subject of the dates and venue of the World Conference, bearing in mind the German Government's inability to host it, as well as the proposal made by the Italian Government and the firm offer made by the Austrian Government. Finally, it seemed that the Conference would be held at Vienna in June 1993. The Preparatory Committee had also been due to adopt draft rules of procedure for the Conference, but it had encountered difficulties in respect of the arrangements for the participation of non-governmental organizations in the Conference and in the preparatory regional meetings, no consensus having emerged on that point. As far as the provisional agenda for the Conference was concerned, the question of the rights whose realization should be considered at the Conference had also given rise to a dispute, with the countries of Asia and Latin America insisting on a list which included the right to self-determination and the rights of occupied territories, whereas the countries of western Europe and the United States of America had wished priority to be given to the consideration of problems

connected with civil and political rights. The Preparatory Committee had not reached a consensus on that point either. Its second session had ended in a climate which had not augured very well for the World Conference. Nevertheless, it seemed that at its third session the Preparatory Committee had been able to adopt the provisional agenda for the Conference.

47. Mr. SIMMA asked why no representative of the Committee on Economic, Social and Cultural Rights had participated in the work of the Preparatory Committee at its third session and whether that was due to negligence on the part of the secretariat.

48. Mr. TIKHONOV (Secretary of the Committee) said that it was his understanding that Mr. Alston had been invited to participate in the work of the Preparatory Committee at its third session but that he had not been able to attend. As Mr. Alston was not present, he preferred not to engage in conjecture as to the arrangements made in that connection.

49. The CHAIRMAN, speaking as a member of the Committee, reported on the work of the Committee on the Rights of the Child at its second session held from 28 September to 9 October 1992, as reflected in that Committee's report. As far as new procedural developments in the Committee's work were concerned, it should be pointed out that the Committee had deemed it necessary to hold at least two three-week sessions a year in order to cope with the workload involved in considering the 57 reports by States parties expected at the end of 1992 and of the 45 others due to be submitted in 1993. The members of the Committee on the Rights of the Child had agreed that preliminary consideration would be given to reports by States parties by a pre-sessional working group, which would also be responsible for formulating, before the presentation of the report by the State party to the Committee, the main issues to be taken up in greater depth with the State party's representatives. The Committee would devote two meetings to each State party's report, after which it would formulate concluding observations in which it would revert to the main points of the discussion and indicate those issues in respect of which the State party would be requested to supply further information. Moreover, the Committee on the Rights of the Child had stressed the advisability of convening, on an informal basis, a technical advisory group on which United Nations bodies and specialized agencies would be represented in order to assist the Committee in the performance of its tasks.

50. With regard to the system of documentation of human rights treaty bodies, the Committee on the Rights of the Child had been informed that States - in particular those which were parties to the relevant instruments - had been invited to make voluntary contributions to finance the initial cost of establishing a computerized database. Stress had been laid on the need to select a computerized system that was compatible with those already installed at the specialized agencies. The Committee had participated in a working meeting at ILO, which had enabled it to engage in a fruitful exchange of views on the advantages of the system being used by ILO, which supplied recent information on all countries, including information on national legislation and on the important measures taken by ILO under its mandate.

51. As far as new substantive developments were concerned, the Committee on the Rights of the Child had noted that the reporting arrangements under existing guidelines still had to be finalized. Furthermore, it had been informed of the measures taken since its previous session by the General Assembly, by United Nations human rights bodies and by the various treaty bodies which had had a bearing on its methods of work and the general topics which it was due to examine. The Committee had considered that appropriate indicators could make it possible to arrive at a better assessment of how the rights set forth in the Convention on the Rights of the Child were guaranteed and protected and to make periodic assessments of the extent to which those rights were applied and of the progress made in that connection.

52. The Committee on the Rights of the Child had held an informal meeting for the region of Latin America and the Caribbean at Quito in June 1992. The purpose of the meeting had been to enhance regional knowledge of the principles and provisions of the Convention, to improve international cooperation and joint action by the various competent organs, and to give members of the Committee an opportunity to arrive at a better understanding of the real conditions in which children lived. Members of the Committee had been informed of the repercussions of the region's economic and political situation on the living conditions and rights of children. The meeting had provided an occasion to take up, for instance at a round table in which several non-governmental organizations concerned with the rights of the child had participated, questions such as health, nutrition, education, child labour, refugee children and the legal status of minors, as well as the advisory and technical assistance services available in the field of human rights. The Committee had considered that the objectives of the meeting had been fully attained.

53. Turning to the question of the reservations and declarations made by States parties in respect of the Convention on the Rights of the Child, the Committee had emphasized that the Convention reflected a holistic approach to the rights of the child, that each of the rights concerned constituted a fundamental element in the dignity of the child and influenced the enjoyment of other rights. The Committee had therefore decided to take up the question with States parties when considering their reports, in order to encourage those which had formulated reservations or made declarations to re-examine their usefulness and possibly to withdraw them.

54. The Committee had emphasized the importance of instituting an emergency procedure as part of the activities in which it engaged as a treaty body and the need to define certain criteria for setting it into motion if necessary; the emergency procedure could be envisaged only in situations involving the rights set forth in the Convention and would apply only to situations coming within the jurisdiction of a State party to it.

55. Finally, the Committee had held a general discussion on the topic of children in armed conflicts. It had raised questions as to the relevance and adequacy of the existing rules applicable, including the provisions of the four Geneva Conventions and Additional Protocols, the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, as well as related United Nations standards. It had found that situations had occurred in which children had not enjoyed the protection of the existing standards;

that had very often been the case when a country had been beset by internal tensions. Preventive measures should therefore be strengthened, and in that connection the Committee had drawn attention to the role that could be played by education, within the meaning of article 29 of the Convention, the training of groups working with and for children, and the dissemination of information for children. The Committee had also considered the implementation of an effective system for protecting children in situations of armed conflict and ways of facilitating their physical and psychological readjustment and their social rehabilitation. Finally, it had envisaged the various measures that it could take in that connection, such as the preparation of more specific guidelines for the implementation of the relevant provisions, the formulation of a series of recommendations and a preliminary general comment, the elaboration of general studies on certain aspects of the problem, and the preparation of a draft optional protocol to the Convention which would establish the age for the recruitment of children into the armed forces at 18 years.

56. Members of the Committee on Economic, Social and Cultural Rights would be informed of the work of the Human Rights Committee and of the Committee on the Elimination of Discrimination against Women upon receipt of their reports.

57. Mr. SPARSIS, referring to the participation of United Nations bodies, specialized agencies and non-governmental organizations in the work of the Committee, expressed surprise that most of them were not represented at the present session and asked about the reasons for that situation.

58. The CHAIRMAN replied that she supposed that some specialized agencies and non-governmental organizations had taken the view that the implementation of the rights set forth in articles 13 to 15 of the Covenant did not fall within the field of their activities.

59. Mr. SPARSIS rejected that explanation, since he considered that human rights were interdependent and indissociable from one another: whatever their respective interests, specialized agencies should systematically follow the Committee's work.

60. Mrs. JIMENEZ BUTRAGUEÑO said that she, too, did not understand how non-governmental organizations which had taken such an interest in the Committee's work could be absent at a time when the World Conference on Human Rights was being prepared.

61. The CHAIRMAN pointed out that the secretariat had received from FAO a letter in which it had expressed its regret at not being able to attend the seventh session of the Committee and had requested the report on the session be sent to it.

62. Mr. SIMMA observed that only the consideration of the report submitted by Italy had been likely to interest FAO, whose headquarters was at Rome. On the other hand, UNESCO had had a duty to be represented at a session at which the rights set forth in articles 13 to 15 of the Covenant would be dealt with. As far as non-governmental organizations were concerned, it had to be recognized that the discussions had so far been focused on a small number of very precise questions which were not likely to interest all of them.

63. Mrs. PINET (World Health Organization) pointed out that the Committee's programme of work did not give sufficiently explicit information, for third parties, on the issues that would be dealt with at the different meetings.

64. The CHAIRMAN drew attention to the annotated provisional agenda, which described in broad outline the work which the Committee would undertake at each of its sessions. However, she shared the sentiments expressed by Mr. Sparsis: ultimately, there was definitely no excuse for the absence of the specialized agencies and non-governmental organizations when the issues being considered were of concern to all of them.

The meeting rose at 5.45 p.m.